

instruments required under Section 39.023, as applicable, during the year preceding, during the year of, and during the year following placement in the program, to the extent available; and

(6) information indicating whether the student dropped out of school, to the extent available.

(e) Subsection (d) and this subsection expire September 1, 2019.

SECTION 3. (a) Not later than December 1, 2017, the commissioner of education shall adopt rules for the Texas Education Agency to use to designate public high schools to participate in the pilot program established under Subchapter A-1, Chapter 37, Education Code, as added by this Act.

(b) Not later than January 1, 2018, the Texas Education Agency shall designate not more than two public high schools to participate in the pilot program established under Subchapter A-1, Chapter 37, Education Code, as added by this Act.

(c) The pilot program established under Subchapter A-1, Chapter 37, Education Code, as added by this Act, shall be implemented in each high school designated under that subchapter beginning with the spring semester of the 2017-2018 school year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on May 4, 2017: Yeas 143, Nays 0, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 156 on May 26, 2017: Yeas 140, Nays 5, 2 present, not voting; passed by the Senate, with amendments, on May 24, 2017: Yeas 31, Nays 0.

Approved June 12, 2017.

Effective June 12, 2017.

DESIGNATING THE THIRD WEDNESDAY IN OCTOBER AS BREAST RECONSTRUCTION AWARENESS DAY

CHAPTER 692

H.B. No. 208

AN ACT

relating to designating the third Wednesday in October as Breast Reconstruction Awareness Day.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter C, Chapter 662, Government Code, is amended by adding Section 662.065 to read as follows:

Sec. 662.065. BREAST RECONSTRUCTION AWARENESS DAY. (a) The third Wednesday in October of each year is Breast Reconstruction Awareness Day to promote education, awareness, and access for women considering postmastectomy breast reconstruction.

(b) Breast Reconstruction Awareness Day shall be regularly observed by appropriate programs and activities.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on April 20, 2017: Yeas 142, Nays 2, 2 present, not voting; the

House concurred in Senate amendments to H.B. No. 208 on May 26, 2017: Yeas 141, Nays 3, 2 present, not voting; passed by the Senate, with amendments, on May 24, 2017: Yeas 31, Nays 0.

Approved June 12, 2017.

Effective June 12, 2017.

**EXPUNCTION OF ARREST RECORDS AND FILES FOR
CERTAIN VETERANS AND THE WAIVER OF FEES AND
COSTS CHARGED FOR THE EXPUNCTION AND TO THE
ELIGIBILITY OF CERTAIN VICTIMS OF TRAFFICKING OF
PERSONS FOR AN ORDER OF NONDISCLOSURE**

CHAPTER 693

H.B. No. 322

AN ACT

relating to the expunction of arrest records and files for certain veterans and the waiver of fees and costs charged for the expunction and to the eligibility of certain victims of trafficking of persons for an order of nondisclosure.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article 55.01, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (a-3) to read as follows:

(a) A person who has been placed under a custodial or noncustodial arrest for commission of either a felony or misdemeanor is entitled to have all records and files relating to the arrest expunged if:

(1) the person is tried for the offense for which the person was arrested and is:

(A) acquitted by the trial court, except as provided by Subsection (c); or

(B) convicted and subsequently:

(i) pardoned for a reason other than that described by Subparagraph (ii); or

(ii) pardoned or otherwise granted relief on the basis of actual innocence with respect to that offense, if the applicable pardon or court order clearly indicates on its face that the pardon or order was granted or rendered on the basis of the person's actual innocence; or

(2) the person has been released and the charge, if any, has not resulted in a final conviction and is no longer pending and there was no court-ordered community supervision under Chapter 42A for the offense, unless the offense is a Class C misdemeanor, provided that:

(A) regardless of whether any statute of limitations exists for the offense and whether any limitations period for the offense has expired, an indictment or information charging the person with the commission of a misdemeanor offense based on the person's arrest or charging the person with the commission of any felony offense arising out of the same transaction for which the person was arrested:

(i) has not been presented against the person at any time following the arrest, and:

(a) at least 180 days have elapsed from the date of arrest if the arrest for which the expunction was sought was for an offense punishable as a Class C misdemeanor and if there was no felony charge arising out of the same transaction for which the person was arrested;

(b) at least one year has elapsed from the date of arrest if the arrest for which the expunction was sought was for an offense punishable as a Class B or A misdemeanor